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10/666,728

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Jennifer Amys

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EXAMINER

ADAMS, CHARLES D

ART UNIT

PAPER NUMBER

2164

NOTIFICATION DATE

DELIVERY MODE

11/25/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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request@slwip.com

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/666,728 | <b>Applicant(s)</b><br>AMYS ET AL. |  |
|                              | <b>Examiner</b><br>CHARLES D. ADAMS  | <b>Art Unit</b><br>2164            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Remarks*

1. In response to communications filed on 13 July 2009, claim 1 is amended.  
Claims 1 and 3 are pending in the application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein et al. (US Patent 6,496,825) in view of Bromberg et al. (US Patent 5,819,066).

As to claim 1, Klein et al. teaches a method comprising:

receiving, from two or more different software systems, electronic data relating to a transaction involving documentation communicated in an electronic form (see 6:40-55, 6:60-67, and 7:18-33), wherein:

the electronic data relating to the transaction is produced by one of the two or more different software systems from which the electronic data is received (see 6:40-55, 6:60-67, and 7:18-33). A local transaction and a local transaction identifier are created. When the work is passed to a remote system, the remote system creates a remote transaction identifier, and creates a "control block data structure where it stores

Art Unit: 2164

information about the local transaction, T2, including its association with transaction T1”); and

the electronic data is received in a system performing the method which is not one of the systems from which the data is received (see Figure 2, 6:16-28. Transaction Management domains 30 and 40 may export processes to transaction management domain 20);

Processing copies of the electronic data to identify electronic documentation items and at least one key value associated with an electronic documentation item received from one of the at least two different software systems, wherein the at least one key value includes a key value that identifies the transaction in the software system the electronic documentation item is received from (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier);

using the at least one key value to look up a unique transaction identifier associated with the transaction on a system performing the method (see 7:46-69), wherein the transaction includes one unique transaction identifiers and two or more associated key values, wherein each key value is a key value used to identify the transaction within one of the two or more different software systems from which the electronic data relating to the transaction was received (see 7:49-69. Each transaction includes a local key value for the system on which it is run. Each transaction is also associated with a global unique identifier that serves to assist in identifying related transactions);

Indexing the documentation items according to the at least one key value and transaction identifier (see 7:28-33 and 7:54-59);

Archiving the documentation items in a data storage system or device, the archiving including storing the documentation items on the data storage system or device (see 7:28-33 and 7:54-59); and

wherein all documentation items relating to a transaction are retrievable using one of the key values of the two or more different software systems from which the electronic data relating to the transaction was received (see Klein et al. 7:28-33 and 7:54-59).

Klein et al. does not teach logging one or more of a date and time associated with at least some of the documentation items,

Bromberg et al. teaches logging one or more of a date and time associated with at least some of the documentation items (see 6:46-65. Benchmark transactions log the time the transaction was started); and

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Klein et al. by the teachings of Bromberg et al., because Bromberg et al. provides the benefit of a reproducible and scalable transaction profile for measuring the performance of a database server (see 2:3-4).

As to claim 3, Klein et al. teaches a system comprising:

operatively couple the computer via a first interface with a first external system producing first electronic data relating to a transaction involving documentation

Art Unit: 2164

communicated in an electronic form, wherein the first electronic data includes at least a first key value, the first key value identifying the transaction within the first external system (see 6:40-55, 6:60-67, and 7:18-33. Also see 6:20-28 and 7:46-50. The system may use multiple remote systems);

operative couple the computer via a second interface with a second external system producing second electronic data relating to the transaction, wherein the second electronic data includes at least a second key value, the second key value identifying the transaction within the second external system (see 6:40-55, 6:60-67, and 7:18-33. Also see 6:20-28 and 7:46-50. The system may use multiple remote systems); and

Process copies of the first and second electronic data to identify electronic documentation items and at least one key value associated with an electronic documentation item (see 6:40-55, 6:60-67, and 7:18-33);

Use the key value to look up a unique transaction identifier associated with the transaction (see 7:46-69);

Index the documentation items according to key value and unique transaction identifier (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier);

Archive the documentation items (see 6:60-67 and 7:18-33. Also see 7:46-69. When the data is returned, the remote system looks up the global identifier); and

Klein et al. does not teach log one or more of a date and time associated with at least some of the documentation items.

Bromberg et al. teaches log one or more of a date and time associated with at least some of the documentation items (see 6:46-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Klein et al. by the teachings of Bromberg et al., because Bromberg et al. provides the benefit of a reproducible and scalable transaction profile for measuring the performance of a database server (see 2:3-4).

### ***Response to Arguments***

4. Applicant's arguments filed 13 July 2009 have been fully considered but they are not persuasive.

Applicant argues that "Klein is a threadbased processing system, where even if there is some form of data archiving, it is performed within the context of a transaction processing thread. In contrast, claim 1 is directed to a method that receives electronic data that may originate in a thread, but the processing in the claim is for archiving and not related to the processing of the data within the thread of the transaction that is being archived."

In response to this argument, it is noted the claim language only refers to processing "electronic data relating to a transaction" to identifying "electronic documentation items" and "archiving the documentation items in a data storage system or device, the archiving including storing the documentation items on the data storage system or device." There is also no claim language stating that "the processing" of

Art Unit: 2164

claim 1 “is for archiving and not related to the processing of the data within the thread of the transaction that is being archived.” It is also noted that all of the transaction managers involved in sharing the work in Klein et al. “create a control block data structure where it stores information about the local transaction” (see 7:28-33). That is “archiving the documentation items” on the local or remote data storage system, as appropriate. Thus, Klein et al., in view of Bromberg et al., does teach the claimed limitations.

Applicant also argues that “the archiving, as specified by the claim amendment is performed by a different system than the system from which the data originated.” In response to this argument, it is noted that the claim amendment specifies only archiving on “a data storage system.” It contains no description or specification of which data storage system. Secondly, it is noted that in Klein et al., each transaction manager stores the documentation data (see 7:28-33).

Applicant argues that claim 3 is patentable over Klein et al. and Bromberg et al., because claim 3 “specifies that the computer which executes the instructions is coupled to the first and second external systems from which the data is received.” In response to this argument, it is noted that Klein et al. discloses at 5:39-54 and 6:20-28 and Figure 2 that transaction management domains 30 and 40 may export processes to transaction management domain 20.

### ***Conclusion***



Art Unit: 2164

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES D. ADAMS whose telephone number is (571)272-3938. The examiner can normally be reached on 8:30 AM - 5:00 PM, M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. A./  
Examiner, Art Unit 2164

/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164